

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of:	)	
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	
Notice of Proposed Rulemaking	)	FCC 06-14

**REPLY COMMENTS OF THE IOWA UTILITIES BOARD**

On May 12, 2006, the Iowa Utilities Board (IUB) filed comments in this docket in support of the proposal to delegate to states the authority to expand number pooling beyond the 100 largest MSAs. In its comments, the IUB pointed to the significant growth of telecommunications services that require NANP numbering resources in rural rate centers in Iowa where pooling is not mandatory. The ability to expand mandatory number pooling when needed would help the IUB optimize the use of numbering resources, prevent stranded numbers, and postpone the exhaust of its NPAs and the ultimate exhaust of the NANP.

The Rural Iowa Independent Telephone Association (RIITA) also filed comments regarding number pooling in rural rate centers in Iowa. RIITA advocates that the FCC maintain its jurisdiction in order to decide the expansion of number pooling on a case-by-case basis and to continue to protect the exemption provided to rural telephone companies. While the IUB is respectful of RIITA's opposing position on this issue, the IUB believes that RIITA may have misunderstood an earlier IUB order that RIITA describes in its comments. RIITA

states that the IUB attempted “to implement mandatory pooling when it has not even made the request to the FCC.”<sup>1</sup> In support of this statement, RIITA cites to an order issued in Iowa’s proceeding held to evaluate the suspension of local number portability (LNP) for small telecommunications carriers.<sup>2</sup> The IUB conducted that LNP proceeding pursuant to authority delegated by the FCC. Contrary to RIITA’s claim, the IUB did not use that proceeding to try to implement mandatory pooling; instead, the IUB simply considered the availability of optional pooling as one of the side benefits of implementing LNP in a timely manner.

On a historical note, the FCC released its Intermodal Order requiring LNP between wireline and wireless carriers in November 2003.<sup>3</sup> After release of the Intermodal Order, approximately 147 independent telephone companies petitioned the IUB for suspension of the LNP requirements pursuant to 47 U.S.C. § 251(f)(2). The IUB docketed the petitions, consolidated them into a single proceeding, established a procedural schedule, and granted intervenor status to five wireless carriers. In October 2004, the IUB issued its Final Decision and Order.<sup>4</sup> Based on the record before it, the IUB divided the 147 petitioners into

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<sup>1</sup> Comments of the Rural Iowa Independent Telephone Association on Fifth Further Notice of Proposed Rulemaking, CC Docket No. 99-200, page 7.

<sup>2</sup> Docket Nos. SPU-04-3, SPU-04-5 and SPU-04-6 (Consolidated Proceeding).

<sup>3</sup> See *In the Matter of Telephone Number Portability, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking*, CC Docket No. 95-116, released November 10, 2003, (Intermodal Order).

<sup>4</sup> See *In Re: Rural Iowa Independent Telephone Association and Iowa Telecommunications Association; Alpine Communications, L.C., et al.; and Coon Valley Cooperative Telephone Association, Inc., et al., Final Decision and Order*, Docket Nos. SPU-04-3, SPU-04-5 and SPU-04-6, issued October 6, 2004, (Final Decision and Order). An electronic copy of the Final Decision and Order can be found at:

[http://www.state.ia.us/government/com/util/\\_private/Orders/2004/1006\\_spu043.pdf](http://www.state.ia.us/government/com/util/_private/Orders/2004/1006_spu043.pdf)

five groups, setting different LNP deployment schedules for each group.<sup>5</sup> In establishing the basis for each of the five groups, the IUB considered criteria pursuant to 47 U.S.C. § 251(f)(2) plus additional criteria that was relevant to the decision.

One of the additional criteria considered was the likely value of thousands-block number pooling in the affected rate centers. The IUB recognized that thousands-block number pooling capability generally results from LNP capability. Thus, in considering which small companies to prioritize for LNP deployment, it was reasonable for the IUB to consider the usefulness of thousands-block number pooling in the rate centers served by the small telephone companies. However, at no time did the IUB attempt to order any of the small telephone companies to implement number pooling as RIITA states. The IUB ordered a deployment schedule for LNP only, and the catalyst for the IUB's action was the FCC's Intermodal Order. Any claim that the IUB tried to implement mandatory pooling is incorrect; the IUB's Final Decision and Order (see footnote 4) speaks for itself.

June 13, 2006

Respectfully submitted,

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\_\_\_\_\_/s/\_\_\_\_\_  
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<sup>5</sup> Group One – 6 month suspension; Group Two – 12 month suspension; Group Three 18 month suspension; Group Four – up to 18 month suspension; and Group Five – must implement LNP 6 months after receiving BFR from a wireless carrier. See Final Decision and Order at pp. 12-17 and Attachment A.

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